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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/280,567	03/30/1999	THOMAS FRANK BUMOL	0409020136	5988

25885 7590 05/22/2002

ELI LILLY AND COMPANY  
PATENT DIVISION  
P.O. BOX 6288  
INDIANAPOLIS, IN 46206-6288

EXAMINER

BRANNOCK, MICHAEL T

ART UNIT	PAPER NUMBER
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1646

23

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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Michael Brannock	
ART UNIT	PAPER NUMBER
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**Please find below a communication from the EXAMINER in charge of this application**

Commissioner of Patents

Applicant's response to the Office Action of 6/29/01 is noted, however, the reply filed on 12/10/01 is not fully responsive to the prior Office action because of the following matter(s): this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 as set forth previously. It appears that certain SEQ ID NOs are not used consistently in the specification and/or do not concur between the specification and the Raw Sequence Listing or Figures. For example, the specification at page 4 has been amended to indicate that both the polynucleotide and polypeptide sequence of Figure 1 are SEQ ID NO: 1 - which is listed in the RSL as a polynucleotide. At page 10 SEQ ID NO: 5 is indicated to be a polypeptide (Line 6) and also as a polynucleotide (Line 9). Further, numerous proposed amendments have not been entered because it appears that Applicant's copy of the specification differs from that submitted to the Office. In its current form, the instant application is impossible to examine on the merits. It is suggested that a substitute specification be submitted.

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).** Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the **SIX MONTH** statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Brannock, Ph.D., whose telephone number is (703) 306-5876. The examiner can normally be reached on Mondays through Fridays from 9:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler, Ph.D., can be reached at (703) 308-6564

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Michael T. Brannock  
May 14, 2002

ELIZABETH KEMMERER  
PRIMARY EXAMINER